

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN

In re:

CALOUETTE CONSTRUCTION SERVICES, LLC

Case No. 19-20973-gmh
(Chapter 7)

Debtor.

**APPLICATION BY TRUSTEE TO EMPLOY DOUGLAS F. MANN
AS ATTORNEY FOR THE TRUSTEE**

NOW COMES, JOHN M. SCAFFIDI, Chapter 7 Trustee of the above-captioned case, who applies to the Court for authority to employ an attorney, pursuant to 11 U.S.C. Sec. 327(a), and who, in support, states as follows:

1. This case was filed on February 7, 2019 as an involuntary Chapter 7. The Order for relief was signed on March 7, 2019.
2. The undersigned is the qualified and acting Trustee in this case.
3. The Trustee desires to employ Douglas F. Mann in the professional capacity of attorney for the Trustee.
4. The professional services to be rendered and the estimated cost are as follows:
 - a. Trustee's examination of debtor's records showed transfers during the preference period, per 11 U.S.C. Sec. 547, of \$373,251.78. Where appropriate, Trustee has made demands on the recipient of transfers during that time for return of any amounts he considered to possibly be preferential in nature, per the above section. Trustee has reached settlements on two of said claims for a total of \$20,000.00, where

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claims made were in the amount of \$27,069.22. Some claims have been denied and as to others, no responses have been received.

- b. Trustee believes the estate may have Article 5 claims (fraudulent transfer, preference, etc.) against the recipients of the transfers mentioned above.
 - c. Trustee desires to retain Attorney Douglas F. Mann to pursue the estate's interest in the above matter and any related matters. Under the circumstances, Trustee does not anticipate an amicable conclusion regarding the above claims.
- 5. The applicant agrees to handle this matter on a 25% contingency fee, plus out-of-pocket expenses, per 11 USC Sec. 327(a). No fees are to be paid unless there is a recovery.
 - 6. The total fees for said legal services shall not exceed 25% contingency, plus out-of-pocket expenses, without further order of the Court.
 - 7. The hourly rate charged by the applicant is as follows: \$300.00 per hour. Applicant understands and agrees to keep detailed records of time and expenses. *The details provided in this paragraph are for information purposes only. The fee arrangement is to be contingent.*
 - 8. The applicant is experienced in the matters for which he is to be employed, and is qualified to represent the Trustee.
 - 9. For the following reasons, Trustee believes it is in the best interest of the estate to employ the above-named attorney or firm to perform the services set forth at the cost set forth: Attorney Mann has worked for Trustee previously. He has

done an excellent job and achieved good results. He is experienced in the work area involved here and has proposed a reasonable rate.

10. Trustee has read the attorney's *Affidavit of Disinterest Pursuant to Bankruptcy Rule 2014(a)* and, to the best of Trustee's knowledge, believes the Affidavit to be true and correct.
11. No fees shall be paid to said attorney or firm except upon proper application to and approval by the Court.

WHEREFORE, the Trustee requests an Order authorizing the Trustee to employ the above-referenced professional in accordance with the terms and provisions of this Application. The Trustee does not intend to file a brief in connection with this Application, but reserves the right to file a responsive brief, if necessary.

Dated at Milwaukee, Wisconsin this 20th day of August, 2019.



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